

INSPECTOR GENERAL RELATIONSHIP

On 30 November 1989, the President signed into law the Fiscal Year 1990 Intelligence Authorization Act which provided, among other things, for the first CIA statutory Inspector General (a summary of the provisions concerning the IG are attached). Frederick P. Hitz, a former Agency employee and most recently, a lawyer from private practice, was confirmed by the Senate and assumed his duties as the Inspector General on 13 November 1990. (The published Senate report on the IG confirmation hearing is also included in this section for your information.)

The placement of a statutory Inspector General at the CIA, you may be aware, was hotly contested by Judge Webster. The President decided not to veto the Intelligence bill that year, however, because a truce had been reached with the Intelligence Committees on the 48 hour covert action notice issue. Nonetheless, the President's three-page signing statement devoted 10 of the 13 paragraphs to the IG issue (copy attached). Mr. Hitz, during his confirmation hearings, told the SSCI members that the position was created as a staff function of the DCI and that he intended to operate in that manner. He has reiterated this sentiment several times since.

A question probably will be asked by Senator John Glenn (D., OH) about your viewpoint on the relationship between the IG and the DCI. Senator Glenn, you should be aware, is the Chairman of the Government Affairs Committee and as such, has jurisdiction over matters regarding other Executive Branch IGs..

In response to a question on the DCI's relationship with the CIA's Inspector General, you may want to parrot the language of the SSCI report on this issue--Fred Hitz refers to it often: "that the Inspector General shall report only to the Director of Central Intelligence and be under his general supervision. This differs from the relationship of other statutory inspectors general....in view of the Director's unique authorities and obligations to the" Intelligence Committees. Furthermore, the report goes on to state that "the DCI is expected to facilitate and support the performance of [the IG's] functions." Fred Hitz translates this often to mean that there must be a high degree of communication and trust between the DCI and the IG. He has told Committee members and staff that this relationship exists with Judge Webster. You may want to mention that you intend to build on the relationship that Judge Webster has developed with the Inspector General.

SUMMARY PROVISIONS OF THE CIA INSPECTOR GENERAL ACT

*The IG is appointed by the President, subject to Senate confirmation, and can be removed only by the President;

*The IG continues to be responsible for conducting inspections, investigations and audits relating to the programs and operations of the Agency, and must keep the DCI fully and currently informed about problems and deficiencies relating to their administration;

*The IG will report to and be under the general supervision of the DCI;

The DCI may prohibit the IG from undertaking an investigation or inspection for national security reasons, but must report such action to the Intelligence Committees;

*The IG is required to submit semiannual reports to the Intelligence Committees on the activities of his office and report within 7 days any serious or flagrant problems that he may discover. In making such reports the IG must take "due care" to protect sources and methods.